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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,188	04/26/2001	Hisakazu Kobayashi	2001_0511A	7258

513   7590   04/14/2005

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EXAMINER
LAZARO, DAVID R

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/842,188	KOBAYASHI ET AL.
	Examiner	Art Unit
	David Lazaro	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 November 2004</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,5,10-12,14 and 17-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,5,10-12,14 and 17-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to the amendment filed 11/30/04.

2.   Claims 3, 6-9, 13, 15 and 16 were canceled.

3.   Claims 1, 4, 5, 10, 11, 12 and 14 were amended.

4.   Claims 1, 2, 4, 5, 10-12, 14 and 17-21 are pending in this Office Action.

Response to Amendment

5.   The substitute Specification and Abstract are accepted by the examiner.

6.   As noted by Applicants, the objections and rejections in relation to canceled

claims are indeed moot in view of the cancellation of those claims.

7.   The objection to Claim 12 is withdrawn.

8.   The rejection of Claim 14 under 35 U.S.C. §101 is withdrawn.

9.   The rejection of Claims 10-12 and 14 under 35 U.S.C. §112, second paragraph,

are withdrawn.

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action.

Claim Objections

11.   Claim 21 is objected to because of the following informalities: Claim 21 contains

a typo as it is dependent on Claim 21. For the purpose of examination, the examiner

will consider Claim 21 to be dependent on Claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 112

12.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

13.   Claims 1, 10, 11 and 14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The subject matter at issue is related to informing the user of transmission of the operation information without information from the host computer. Specifically, the limitation "without information from the host computer terminal device" is not sufficiently described in the specification. Pages 11-12 of the substitute specification describe in part, the process of the invention including the informing of the user. However, there is no explicit description in regards to the limitation "without information from the host computer terminal device", nor is there any description that would reasonably convey to one of ordinary skill in the art as to why one would restrict the invention to <u>necessarily</u> exclude information from the host computer in the informing process. As such, Claims 1, 10, 11 and 14 fail to comply with the written description requirement.

Claim Rejections - 35 USC § 103

14.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

15.   Claims 1, 4, 10 and 17-20 rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent 6,240,444 by Fin et al. (Fin) in view of U.S. Patent

Application Publication 2003/00286608 by Patterson (Patterson).

16.   With respect to Claim 1, Fin teaches a computer terminal device coupled to a

host computer terminal device which is remote-controlled by said computer terminal

device through a network (Col. 4 lines 32-43), said computer terminal device

comprising: an information processing unit (Col. 4 lines 44-63), a communication unit

operable to exchange information with the network (Col. 4 lines 32-43), and a pointing

device operable to control said computer terminal device (Col. 4 lines 44-50); wherein

said information processing unit is operable to convert an operating procedure of said

pointing device into operation information (Col. 9 lines 8-43) including operation data

(Col. 9 lines 25-33), coordinates data (Col. 9 lines 33-40), and time interval data

between operations (Col. 9 lines 33-40), and said communication unit is operable to

transmit the operation information to the network (Col. 9 line 62 - Col. 10 line 14). Fin

does not explicitly disclose an informing unit included in said information processing unit

said informing unit being operable to output data for informing a user of said computer

terminal device of an operation of said pointing device wherein said informing unit, in

response to a transmission of the operation information from said communication unit, is

operable to output data indicating the transmission of the operation information so as to

inform the user that the transmission of the operation information is performed, without

information from the host terminal device. Patterson teaches an informing unit that is

capable of informing the user that the transmission of information is performed (Page 2

[0028]). This is done without information from the receiving terminal (Page 2 [0028]). It

would have been obvious to one of ordinary skill in the art at the time the invention was

made to take the computer terminal device disclosed by Fin and modify it as indicated

by Patterson such that the computer terminal device further comprises an informing unit

included in said information processing unit said informing unit being operable to output

data for informing a user of said computer terminal device of an operation of said

pointing device; wherein said informing unit, in response to a transmission of the

operation information from said communication unit, is operable to output data

indicating the transmission of the operation information so as to inform the user that the

transmission of the operation information is performed, without information from the host

terminal device. One would be motivated to have this, as this informs the user through

feedback, which is beneficial in creating a user-friendly experience (Page 2 [0028] of

Patterson).

17.   With respect to Claim 4, Fin in view of Patterson teaches all the limitations of

Claim 1 and further teaches wherein said information processing unit comprises

operation determining means for judging whether the operation of said pointing device

is a single click or a double click (Col. 9 lines 25-30 of Fin), and a transmission data

output unit, and wherein when said operation determining means judges the operation

of the pointing device to be a double click, said transmission data output unit is operable

to output the operation information including information showing the double click to

said communication unit (Col. 9 lines 25-40 and Col. 9 line 62 - Col. 10 line 14 and Col.

10 lines 23-28 of Fin).

18.   With respect to Claim 10, Fin teaches a remote control system through a network

(Col. 2 lines 65 - Col. 3 line 9), said system comprising: a first computer terminal, and b)

a second computer terminal coupled to said first computer terminal through the network

(Col. 4 lines 32-43), wherein said first computer terminal comprises: a first information

processing unit (Col. 4 lines 44-63), a first communication unit operable to exchange

information with the network (Col. 4 lines 32-43); a pointing device for controlling said

first computer terminal (Col. 4 lines 44-50); and wherein said information processing unit

is operable to convert an operating procedure of said pointing device into operation

information (Col. 9 lines 8-43) including operation data (Col. 9 lines 25-33), coordinates

data (Col. 9 lines 33-40), and time interval data between operations (Col. 9 lines 33-40),

and said first communication unit is operable to transmit the operation information to the

network (Col. 9 line 62 - Col. 10 line 14); wherein said second computer terminal

comprises: a second information processing unit (Col. 4 lines 44-63), and a second

communication unit coupled to the network (Col. 4 lines 32-43), said second

communication unit being operable to receive the operation information through the

network (Col. 9 line 62 - Col. 10 line 14); and wherein said second information

processing unit is operable to decompose the operation information received by said

second communication unit into the operating procedure (Col. 10 lines 15-28 and lines 38-52). Fin does not explicitly disclose an informing unit included in said information processing unit said informing unit being operable to output data for informing a user of said first computer terminal of an operation of said pointing device, wherein said informing unit, in response to a transmission of the operation information from said first communication unit, is operable to output data indicating the transmission of the operation information so as to inform the user that the transmission of the operation information is performed, without information from said second computer terminal. Patterson teaches an informing unit that is capable of informing the user that the transmission of information is performed (Page 2 [0028]). This is done without information from the receiving terminal (Page 2 [0028]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Fin and modify it as indicated by Patterson such that the system further comprises an informing unit included in said information processing unit said informing unit being operable to output data for informing a user of said first computer terminal of an operation of said pointing device; wherein said informing unit, in response to a transmission of the operation information from said first communication unit, is operable to output data indicating the transmission of the operation information so as to inform the user that the transmission of the operation information is performed, without information from said second computer terminal. One would be motivated to have this, as this informs the user through feedback, which is beneficial in creating a user-friendly experience (Page 2 [0028] of Patterson).

19.   With respect to Claim 17, Fin in view of Patterson teaches all the limitations of

Claim 1 and further teaches an audio output unit operable to receive audio information

output by said computer terminal device, a video output unit operable to receive video

information output by said computer terminal device (typical computer devices are

capable of handling audio and video information output as evident in Fin (Col. 1 lines

47-52 and Col. 4 lines 44-62) and Patterson (Page 1 [0007])), wherein said informing

unit is operable to output data indicating transmission of operation information so as to

inform the user of the transmission of the operation information to at least one of said

audio output unit and said video output unit (Col. 9 lines 25-40 of Fin, and Page 2 [0028]

of Patterson, based on the same rationale of the rejection of Claim 1)

20.   With respect to Claim 18, Fin in view of Patterson teaches all the limitations of

Claim 1 and further teaches wherein the operation information is information indicating a

double click (Col. 9 lines 25-40 of Fin).

21.   With respect to Claim 19, Fin in view of Patterson teaches all the limitations of

Claim 17 and further teaches wherein the operation information is information indicating

a double click (Col. 9 lines 25-40 of Fin).

22.   With respect to Claim 20, Fin in view of Patterson teaches all the limitations of

Claim 1 and further teaches wherein said information processing unit comprises an

operation determining unit operable to judge whether the operation of the pointing

device is a single click or a double click (Col. 9 lines 25-40 of Fin), and a transmission

data output unit (Col. 9 line 62 - Col. 10 line 14 of Fin), and wherein when said operation

determining unit judges the operation of the pointing device to be a double click, said

transmission data output unit is operable to output the operation information including the information showing the double click to said communication unit (Col. 9 line 62 - Col. 10 line 14 of Fin).

23.   Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fin in view of Patterson and in further view of U.S. Patent 6,760,017 by Banerjee et al. (Banerjee).

24.   With respect to Claim 2, Fin teaches all the limitations of Claim 1 but does not explicitly disclose transmission through wireless means. Banerjee teaches that wireless network systems are known in the art (Col. 1 line 54-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the device disclosed by Fin in view of Patterson and modify it as indicated by Banerjee such that said communication unit is operable to transmit the operation information wirelessly. One would be motivated to have this as it is known in the art and reduces the need for a direct wire connection (Col. 1 lines 54-67 of Banerjee).

25.   Claims 5 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fin in view of Patterson and in further view of U.S. Patent 5,559,943 by Cyr et al. (Cyr).

26.   With respect to Claim 5, Fin in view of Patterson teaches all the limitations of Claim 4 but does not explicitly disclose a timer that sets the time interval of two single clicks for the operation determining means for judging two single clicks as double click. However, Cyr teaches that a computer system usually determine (judge) two single

clicks as being a double click through the use of a timer and a set time interval for the

two single clicks (Col. 1 lines 36-57). It would have been obvious to one of ordinary skill

in the art at the time the invention was made to take the device disclosed by Fin in view

of Patterson and modify it as indicated by Cyr such that said information processing unit

further comprises a timer operable to set the time interval of two single clicks for said

operation determining means for judging two single clicks as a double click. One would

be motivated to have this, as it is known method in the art for allowing users to operate

computers (Col. 1 lines 5-57 of Cyr).

27.   With respect to Claim 21, Fin in view of Patterson teaches all the limitations of

Claim 1 but does not explicitly disclose a timer that sets the time interval of two single

clicks for the operation determining means for judging two single clicks as double click.

However, Cyr teaches that a computer system usually determine (judge) two single

clicks as being a double click through the use of a timer and a set time interval for the

two single clicks (Col. 1 lines 36-57). It would have been obvious to one of ordinary skill

in the art at the time the invention was made to take the device disclosed by Fin in view

of Patterson and modify it as indicated by Cyr such that said information processing unit

further comprises a timer operable to set the time interval of two single clicks for said

operation determining means for judging two single clicks as a double click. One would

be motivated to have this, as it is known method in the art for allowing users to operate

computers (Col. 1 lines 5-57 of Cyr).

28.   Claims 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Cyr in view of Fin and Patterson.

29.   With respect to Claim 11, Cyr teaches acquiring a specified maximum click

interval (Col. 1 lines 36-57), detecting an operation of a pointing device by an input

status and coordinates data (Col. 1 lines 36-57), measuring a lapse time when a value

of the coordinates data remains at a same value while a button of the pointing device is

in an ON status (Col. 1 lines 36-57 and Col. 2 lines 16-32), monitoring the operating

state of the pointing device so as to check whether or not the lapse time measured in

said measuring of the lapse time exceeds the maximum click interval acquired in said

acquiring of the maximum click interval (Col. 1 lines 36-57); judging the lapse time, the

input status, and the coordinates data when the pointing device is next operated (Col. 1

lines 36-57 and Col. 2 lines 16-32), monitoring the operating state of the pointing device

so as to check whether of not the lapse time exceeds the maximum click interval, when

the lapse time does not exceed the maximum click interval, the input status is changed

from ON to OFF, and the coordinates data remains at the same value (Col. 1 lines 36-

57 and Col. 2 lines 16-32), detecting the lapse time, the input status and the coordinates

data when the pointing devices is next operated (Col. 1 lines 36-57 and Col. 2 lines 16-

32), judging that a double click is performed when the lapse time does not exceed the

maximum clicking interval, the button is changed from OFF to ON, and the coordinates

data remains at the same value (Col. 1 lines 36-57 and Col. 2 lines 16-32). Cyr does

not explicitly disclose transmitting operation information showing the double click to the

network, and informing a user of the computer terminal that the operation information

showing the double click is transmitted from the computer terminal without information

from the host computer terminal device. Fin teaches transmitting operation information

showing a double click (Col. 9 lines 25-40) onto a network (Col. 9 line 62 - Col. 10 line

14 and Col. 10 lines 23-28). Patterson teaches informing the user that the transmission

of information is performed without information from the receiving terminal (Page 2

[0028]). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to take the method disclosed by Cyr and modify it as indicated by

Fin and Patterson such that the method further includes transmitting the operation

information showing the double click to the network; and informing a user of the

computer terminal that the operation information showing the double click is transmitted

from the computer terminal without information from the host computer terminal device..

One would be motivated to have this as there is need to be able to remotely control

other computers including the use of "double clicks" (Col. 2 line 65 - Col 3 line 9 and

Col. 10 line 24-29 of Fin).

30.   With respect to Claim 12, Cyr in view of Fin and Patterson all the limitations of

Claim 11 and further teaches the user is notified of composite operation information

showing of a plurality of operations in said transmitting of the operation information (Col.

9 lines 25-40 of Fin, and Page 2 [0028] of Patterson, based on the same rationale of the

rejection of Claim 11)

31.   With respect to Claim 14, Cyr teaches acquiring a predetermined maximum click

interval (Col. 1 lines 36-57), detecting an operation of a pointing device by an input

status and coordinates data (Col. 1 lines 36-57), measuring the lapse time when a value

of the coordinates data remains at a same value while a button of the pointing device is

in an ON status (Col. 1 lines 36-57 and Col. 2 lines 16-32), monitoring an operating

state of the pointing device so as to check whether or not the lapse time exceed the

maximum click interval acquired in said acquiring of the maximum click interval (Col. 1

lines 36-57), judging the lapse time, the input status, and the coordinates data when the

pointing device is next operated (Col. 1 lines 36-57 and Col. 2 lines 16-32), monitoring

the operating state of the pointing device so as to check whether or not the lapse time

exceeds the maximum click interval, when the input status is changed from ON to OFF,

and the coordinates data remains at the same value (Col. 1 lines 36-57 and Col. 2 lines

16-32), detecting the lapse time, the input status and the coordinates data when the

pointing devices is next operated (Col. 1 lines 36-57 and Col. 2 lines 16-32), judging

that a double click is performed when the lapse time does not exceed the maximum

clicking interval, the button is changed from OFF to ON, and the coordinates data

remains at the same value (Col. 1 lines 36-57 and Col. 2 lines 16-32). Cyr does not

explicitly disclose transmitting operation information showing the double click to the

network, and informing a user of the computer terminal that the operation information

showing the double click is transmitted from the computer terminal without information

from the host computer terminal device. Fin teaches transmitting operation information

showing a double click (Col. 9 lines 25-40) onto a network (Col. 9 line 62 - Col. 10 line

14 and Col. 10 lines 23-28). Patterson teaches informing the user that the transmission

of information is performed without information from the receiving terminal (Page 2

[0028]). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to take the method disclosed by Cyr and modify it as indicated by

Fin and Patterson such that the method further includes transmitting the operation

information showing the double click to the network; and informing a user of the

computer terminal that the operation information showing the double click is transmitted

from the computer terminal without information from the host computer terminal device..

One would be motivated to have this as there is need to be able to remotely control

other computers including the use of "double clicks" (Col. 2 line 65 - Col 3 line 9 and

Col. 10 line 24-29 of Fin). Cyr does not explicitly disclose transmitting operation

information showing the double click to the network, and informing a user of the

computer terminal that the operation information showing the double click is transmitted

from the computer terminal without information from the host computer terminal device.

Fin teaches transmitting operation information showing a double click (Col. 9 lines 25-

40) onto a network (Col. 9 line 62 - Col. 10 line 14 and Col. 10 lines 23-28). Patterson

teaches informing the user that the transmission of information is performed without

information from the receiving terminal (Page 2 [0028]). It would have been obvious to

one of ordinary skill in the art at the time the invention was made to take the method

disclosed by Cyr and modify it as indicated by Fin and Patterson such that the method

further includes transmitting the operation information showing the double click to the

network; and informing a user of the computer terminal that the operation information

showing the double click is transmitted from the computer terminal without information

from the host computer terminal device. One would be motivated to have this as there

is need to be able to remotely control other computers including the use of "double

clicks" (Col. 2 line 65 - Col 3 line 9 and Col. 10 line 24-29 of Fin).

Response to Arguments

32.   Applicant's arguments with respect to claims 1, 10, 11 and 14 have been

considered but are moot in view of the new ground(s) of rejection.
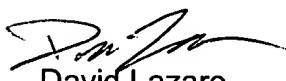

Conclusion

33.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Lazaro
April 7, 2005

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER